

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE NOE JIMENEZ,

Defendant.

2:06-CR-00169-PMP-GWF

O R D E R

Before the Court for consideration is Defendant Jose Noe Jimenez's Motion to Dismiss Based Upon a Prior Unlawful Deportation (Doc. #26). On February 1, 2007, the Honorable George Foley, Jr., United States Magistrate Judge entered a Report of Findings and Recommendation (Doc. #34) recommending the denial of Defendant's above-referenced Motion. Objections (Doc. #37) were filed on March 15, 2007, by Defendant pursuant to LR IB 3-2 of the Rules of Practice of the United States District Court for the District of Nevada, to which the Government Responded (Doc. #38) on March 26, 2007.

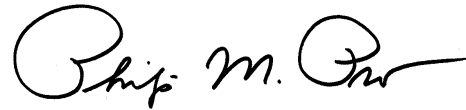
The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and (C) and Local Rule IB 3-2 and determines that Magistrate Judge Foley's Report of Findings and Recommendation should be Affirmed.

///

///

1 IT IS THEREFORE ORDERED that Defendant's Objections (Doc. #37) are
2 Overruled and Magistrate Judge Foley's Findings and Recommendations (Doc. #34) are
3 Affirmed and Defendant's Motion to Dismiss (Doc. #26) is Denied.

4
5 Dated: April 26, 2007.

6
7 

8 PHILIP M. PRO
9 United States District Judge
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26